

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**JAMES DEVON BROWN**

**PETITIONER**

**v.**

**CIVIL ACTION NO. 1:21-cv-119-TBM-MTP**

**BURL CAIN**

**RESPONDENT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on the submission of the Report and Recommendation [22] entered by United States Magistrate Judge Michael T. Parker on January 16, 2025. Judge Parker recommends denying James Devon Brown’s Motion for Post Conviction Collateral Relief [19] as successive, as Brown has made no showing that he received authorization from the Fifth Circuit to file a successive petition. Brown has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.<sup>1</sup>

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” FED. R. CIV. P. 72(b) advisory committee’s note to 1983 addition (citations omitted); *see Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010) (“When a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error”) (citing *Douglass v. United Serv. Auto Ass’n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Parker’s Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

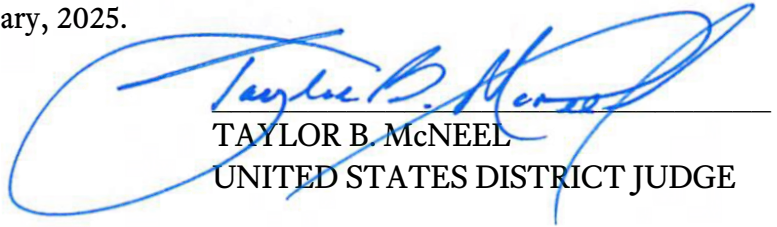
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<sup>1</sup> A copy of the Report and Recommendation [22] was mailed to Brown at the address listed on the docket on January 16, 2025.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [22] entered by United States Magistrate Judge Michael T. Parker on January 16, 2025, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that James Devon Brown's Motion for Post Conviction Collateral Relief [19] is DENIED as successive.

THIS, the 18th day of February, 2025.



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TAYLOR B. McNEEL  
UNITED STATES DISTRICT JUDGE